



FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MB Docket No. 21-125; RM-11892; DA 21-1189; FR ID 50300]

Television Broadcasting Services Hazard, Kentucky

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission has before it a petition for rulemaking filed by Gray Television Licensee, LLC (Petitioner), the licensee of WYMT-TV (CBS), channel 12, Hazard, Kentucky. The Petitioner requests the substitution of channel 20 for channel 12 at in the DTV Table of Allotments.

DATES: Comments must be filed on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER] and reply comments on or before [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Federal Communications Commission, Office of the Secretary, 45 L Street, NE, Washington, D.C. 20554. In addition to filing comments with the FCC, interested parties should serve counsel for the Petitioner as follows: Joan Stewart, Esq., Wiley Rein LLP, 1776 K Street, NW, Washington, D.C. 20006.

FOR FURTHER INFORMATION CONTACT: Joyce Bernstein, Media Bureau, at (202) 418-1647; or Joyce Bernstein, Media Bureau, at Joyce.Bernstein@fcc.gov.

SUPPLEMENTARY INFORMATION: In support, the Petitioner states the proposed channel substitution serves the public interest because it will resolve significant over-the-air reception problems in WYMT-TV's existing service area. The Petitioner further states that the Commission has recognized the deleterious effects manmade noise has on the reception of digital VHF signals, and that the propagation characteristics of these channels allow undesired signals

and noise to be receivable at relatively farther distances compared to UHF channels and nearby electrical devices can cause interference. While the proposed channel 20 facility is predicted to result in loss of service to 15,460 persons, less than 100 persons will continue to receive service from five other television stations, and those persons will continue to receive service from four other television stations.

This is a synopsis of the Commission's *Notice of Proposed Rulemaking*, MB Docket No. 21-125; RM-11892; DA 21-1189, adopted September 21, 2021, and released September 22, 2021. The full text of this document is available for download at <https://www.fcc.gov/edocs>. To request materials in accessible formats (braille, large print, computer diskettes, or audio recordings), please send an email to FCC504@fcc.gov or call the Consumer & Government Affairs Bureau at (202) 418-0530 (VOICE), (202) 418-0432 (TTY).

This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Pub. L. 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Pub. L. 107-198, *see* 44 U.S.C. 3506(c)(4). Provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601-612, do not apply to this proceeding.

Members of the public should note that all *ex parte* contacts are prohibited from the time a Notice of Proposed Rulemaking is issued to the time the matter is no longer subject to Commission consideration or court review, *see* 47 CFR 1.1208. There are, however, exceptions to this prohibition, which can be found in § 1.1204(a) of the Commission's rules, 47 CFR 1.1204(a).

See §§ 1.415 and 1.420 of the Commission's rules for information regarding the proper filing procedures for comments, 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Television.

FEDERAL COMMUNICATIONS COMMISSION.

Thomas Horan
Chief of Staff,
Media Bureau.

Proposed Rule

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

PART 73 — RADIO BROADCAST SERVICE

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

§ 73.622 [Amended]

2. In § 73.622 in paragraph (i), amend the Post-Transition Table of DTV Allotments under Kentucky by revising the entry for Hazard to read as follows:

§ 73.622 Digital television table of allotments.

(i) ***

Community	Channel No.

KENTUCKY	

Hazard	*16, 20
